

AGENDA

Clallam County Planning Commission

Meeting of November 16, 2022 6:00 p.m.

The Clallam County Planning Commission will conduct a regularly scheduled meeting on **Wednesday, November 16, 2022, at 6:00 p.m.** in Room 160 of the Clallam County Courthouse, 223 East Fourth Street, Port Angeles, WA 98362. The meeting can also be attended via Zoom through meeting number 857 7304 5582 with passcode 12345.

The information provided to the Commission in preparation for this meeting is available at:
<https://wa-clallamcounty.civicplus.com/AgendaCenter/Planning-Commission-20>

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. WELCOME**
- E. APPROVAL OF MINUTES**
- F. ANNOUNCEMENTS**
- G. PUBLIC COMMENT – Please Limit Comments to Three Minutes**
- H. UNFINISHED BUSINESS - none**
- I. PUBLIC HEARING: none**
- J. WORK SESSION ITEMS:** Continued discussion on Sign Code standards and staff recommendations.
- K. PUBLIC COMMENT – Please Limit Comments to Three Minutes**
- L. ADJOURNMENT**

Members:

Chair, Steve Gale & Vice-Chair, Ron Long
Robert Miller; N. Bonnie Booth; M. Ingrid Carmean; Jeff Carter;
Thomas Butler; Kenneth Reandeau; Jane Hielman
Department of Community Development Staff:
Donella Clark, Principal Planner

MINUTES

Clallam County Planning Commission

Meeting of October 16, 2022, 6:00 PM

- A. CALL TO ORDER: The meeting was called to order at 6:00 p.m.
- B. PLEDGE OF ALLEGIANCE.
- C. ROLL CALL: Members present were Chair Steve Gale, Vice-Chair Ron Long, Bonnie Booth, Jeff Carter, Robert Miller, Ken Reandeau, and Jane Hielman, . Donella Clark, Principal Planner represented staff from the Department of Community Development and Steve Gray, Transportation Planner, was present from the Road Department.
- D. WELCOME: Chair Steve Gale welcomed all in attendance.
- E. APPROVAL OF MINUTES: October 5, 2022
- F. ANNOUNCEMENTS: None.
- G. PUBLIC COMMENT PERIOD: None.
- H. UNFINISHED BUSINESS: None.
- I. PUBLIC HEARING ITEM: Steve Gray provided a presentation of the 6-year TIP and summarized comments from the previous workshop. Public Hearing was open. Ed Bowen provided comment: concerned about the road budget and grants needing seed money for road projects; staff capacity is a growing problem; need a firm agreement between the County and the NGO on the Johnson three culvert project; should analyze and break apart the unfunded Hoko-Ozette 21 miles, more analysis on the shoreline erosion effects of the road at 19.5; consider American 605 money for Mary Clark Road realignment; Airport Road should remove utility pole to allow fanning at intersection. Commissioner Gale asked about loads of dirt used for the levee project and why they are not covered and who owns the gravel pit being used; DCD staff stated they would ask the project manager of the project to talk with the contractor about tarping the loads.
- J. WORK SESSION ITEMS: Continued discussion on Sign Code, specifically enforcement and standards. Staff is working with legal to get the language appropriate, but the Commissioners thought the enforcement section was moving in the right direction. The 30 day to correct seemed too quick and fines should remain separate for residential and commercial signs. Commission brought up the idea of having conformity of design in the code to enhance a cohesive community. Commission asked staff to consider how to coordinate aesthetic appearance. A suggestion was made that the sign should tie into the architecture of the building, but staff pointed out that not all buildings look good either. Also discussed was the "vehicular signage" section in both the Residential and Commercial section of the existing code. Staff will attempt to reduce this section and make it more clear as to the intention of this section.
- K. PUBLIC COMMENT PERIOD: Ed Bowen is concerned about signs in the County that are not in the jurisdiction of the County Code, but are non-conforming to the intent of these codes. Need to use the Comprehensive Plan to get these players at the table to discuss signs and discuss with the community what they expect of signage throughout the County. Can also use the Federal Highway Administration to deal with these non-conforming signs not within the jurisdiction of the County. Also be aware that historic signs qualify for historic preservation.
- L. ADJOURNMENT: The meeting adjourned at ___7:30___ p.m.



MEMORANDUM

Clallam County Department of Community Development

Date: November 16, 2022
To: Clallam County Planning Commission
From: Donella Clark, Principal Planner
Re: Sign Code

Provided in the packet:

Revised Draft Sign Code with staff recommended language
Outdoor Advertising Association of America explanation of recommended brightness guidelines

Discussion

During the previous meeting there was discussion about including some design standards for signs. Some jurisdictions take into consideration framing materials, as well as the design. Staff has recommended some design standards and would like feedback. Specific considerations need to be addressed to develop standards, so the following questions are posed:

- What design features are necessary to create the type of signs we want to see in the community?
- Do we want continuity between the monument and façade signs?
- Is it important for monument signs to be "grounded" or are poles acceptable?
- Can an electronic sign used for a multi-business complex be entirely 100 square feet?
- Can the entire 32 square foot sign be electronic?
- How bright can electronic signs be?
- How often can the messages change?
- Is animation allowed?

Next Steps

If the Commission feels it is appropriate, we can schedule the Public Workshop for January 18th, 2023.

33.57.010 Purpose.

- (a) To encourage the effective use of signs as a means of communication in the County;
- (b) To maintain and enhance the visual environment and the County's ability to provide an attractive area for economic development and growth;
- (c) To minimize excessive lighting in rural Clallam County along designated scenic highways;
- (d) To maintain and enhance scenic views along the County's scenic highways;
- (e) To improve traffic and pedestrian safety and to eliminate distractions to vehicle drivers;
- (f) To minimize the adverse effect of signs on nearby public and private property;
- (g) To prevent damage and personal injury from signs improperly constructed.
- (h) To ensure compliance with the Scenic Vistas Act and the Growth Management Act; and
- (i) To enable the fair and consistent enforcement of these sign regulations.

33.57.020 Definitions.

Except where specifically defined herein, all words used in this chapter shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular. The word "shall" is mandatory; the word "may" denotes a use of administrative discretion in making a decision. The words "used" or "occupied" shall be considered as though followed by the words "or intended, maintained, arranged or designated to be used or occupied."

- (1) "Abandoned sign" means a sign that, for a period of more than six (6) months, no longer correctly identifies, exhorts, or advertises any person, business, lessor, lessee owner, product or activity conducted or available on or off the premises on which the sign is located. Signage on a property which is continuously listed for sale or lease shall not be considered abandoned.
- (2) "Administrator" means the Director of the Clallam County Department of Community Development or his/her designee.
- (3) "Advertising" means to announce publicly by emphasizing a printed notice or to call public attention to desirable qualities so as to arouse a desire to buy or patronize. This also includes logos, borders, backgrounds and accents.
- (4) "A-frame" or "Sandwich Board" means two usually hinged boards not permanently attached to the ground and generally oriented to pedestrians.
- (5) "Animation" means the manipulation of electronic images in order to create moving images. Or a sign depicting action, motion, light, or color changes through electrical or mechanical means.

- (6) “Backlit sign” means a sign whose face is illuminated from behind.
- (7) “Banner sign” means a flexible substrate on which copy or graphics are displayed. These signs can be mounted to a structure with a cord, rope, cable, or a similar method, or that may be supported by stakes in the ground. These signs are considered a temporary sign unless affixed to a building.
- (8) “Building frontage” means the linear frontage of a building facing an abutting public or private street. When a building fronts on multiple streets, the building frontage shall be the one building front that would result in the greatest linear frontage.
- (9) “Dwell time” means the amount of time that text or animated content is required to stay in place on a digital sign.
- (10) “Digital or Electronic Sign” means changeable copy sign that uses illumination (LED-light emitting diodes, LCD- liquid crystal display, plasma display, individual light bulbs) to display or project copy.
- (11) “Exterior illuminated sign” means a sign illuminated by a light source that is directed towards and shines on the face of a sign.
- (12) “Facade sign” means a sign which is attached parallel to and within nine (9) inches of the wall of a building, or vertical face of an awning or parapet which is supported by and confined within the limits of such wall, awning or parapet and which displays only one sign surface. “Facade sign” also include signs affixed to (within nine (9) inches at one point) or painted on an awning, canopy or roof so long as they do not extend above the primary roofline or more than eight (8) feet from the outside edge of the building. Soft drink dispensing machines will be considered a facade sign if located within nine (9) inches of the building.
- (13) “Fade” means a mode of message transition on a digital sign accomplished by varying light intensity or color, where the first message gradually grows faint and disappears.
- (14) “Feather Flutter, Flagor Blade sign” means a freestanding portable sign that contains a harpoon-style pole or staff driven into the ground for support that resembles a sail or flag made of fabric of nylon.
- (15) “Flashing sign” means a sign or a portion thereof which changes light intensity or switches on and off in a repetitive pattern at less than one-minute intervals, or uses electrical energy to provide motion or the optical illusion of motion.
- (16) “Freestanding sign” means a sign which is supported by permanent uprights, pole or braces to the ground and which is not connected to a building.
- (17) “Grade” means the average elevation of the natural ground surface immediately below the sign before construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign; and provided, that when the elevation of the natural ground surface of a freestanding/monument sign is below the grade of the edge of the adjacent roadway, then the

height of a freestanding or monument sign shall be measured from the grade at the outer edge of the roadway nearest the proposed sign location.

(18) "Grand opening sign" means a temporary sign of no more than thirty (30) days' duration announcing the new opening of a store or a complete change in ownership or product line sold.

(19) "Illuminated sign" means any sign illuminated in any manner by an on-site artificial light source. These signs include both exterior-illuminated and backlit signs.

(20) "Illegal sign" means any sign placed without proper approval or permits as required by any applicable zoning or building code and also any sign placed contrary to the terms or time limits of any permit, or out of compliance with any applicable code.

(21) "Legal Nonconforming sign" means any sign in existence within the County on the date of adoption of the ordinance 694 codified in 2000 which did conform to all applicable laws in effect on the date the sign was originally erected.

(22) "Memorial sign" means a sign memorializing a person, event, or significance related to a site, building, or structure.

(23) "Monument sign" means a ground-related, freestanding sign which is attached to the ground or to its base on grade by a solid sign structure and which structure extends from the ground or base to the sign face at the same or greater width as the sign face. Banner signs on fences are considered a form of monument sign and are only allowed to be placed temporarily.

(243) "Multiple-business complex" means a group of structures housing at least two (2) separate businesses or agencies operating under separate State tax numbers, or a single structure containing more than one business with separating walls and at least one outside or inside access for each business which shares a common lot, access and/or parking facility operating under separate State tax numbers.

(254) "Mural" means an outdoor wall painting on a building which consists exclusively of paint applied to the wall or to framework attached within nine (9) inches of the wall and which contains no advertising.

(265) "Noise" means any intended or unintended sound created by the sign or its installed equipment which exceeds forty (40) decibels as measured from the nearest point adjacent to the property or place of business, whichever is closer.

(276) "Permanent sign" means a sign attached to a building, structure, or the ground in a manner that enables the sign to resist environmental loads, such as wind, and precludes ready removal or movement of the sign.

(287) "Portable or movable sign" means any sign which is not permanently affixed to the ground or a structure or building. This definition includes movable reader boards, outdoor soft drink dispensers located farther than nine (9) inches from a building and sandwich boards that are placed so as to be seen from public right-of-ways.

(298) “Primary roofline” means the roofline under which a majority of the square footage of the business is located.

(3029) “Real estate sign” means a temporary sign advertising real estate for sale, rent or lease.

(310) “Rotating signs” means a moving sign that physically revolves about an axis.

(324) “Sidewalk/Sandwich Board sign” means a moveable sign not secured or attached to the ground or surface upon which it is located, supported by its own frame.

(332) “Sign” means any object, device, fixture, placard, banner, structure or portion thereof, including any letters, figures, design, symbol, trademark or device that uses any color, form, graphic, illumination, symbol or writing intended to advertise, announce the purpose of, or identify the purpose of a person or entity, or to attract attention to any message, activity, service, place, subject, person, firm, corporation, public performance, article, machine or merchandise or to communicate information of any kind to the public, and which is visible from any right-of-way open to the public. Lighting that highlights an architectural feature of a building and does not consist of lettering, symbols or graphics shall not be considered a sign.

(343) “Sign area” means the entire face of the sign, including advertising surface, backlit surface, and any framing, trim or molding but does not include the supporting structure. Sign area is measured by multiplying the maximum horizontal width by the maximum vertical width. The surface area of a sign painted on a wall, awning or roof shall be measured by multiplying the maximum width of the copy by the maximum length of the copy. Sign areas may also be calculated by measuring the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the advertising copy, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, including an awning. Supportive framework which contains no written copy or other advertising and is clearly incidental to the display itself shall not be included in sign area calculations; provided, that the sign support structure shall be the minimum necessary to support the sign. For the purpose of this chapter the total sign area of any two (2) faced sign with parallel faces or V-type sign having an interior angle of forty-five (45) degrees or less shall be calculated as the area of the larger of the two (2) faces or one face if equal in size. All other multiple-faced or paneled signs shall be the total area of all faces or panels combined.

(354) “Sign surface” means any surface of a sign upon which there is lettering, logos, symbols or other advertising messages.

(365) “Sign height” means the vertical distance from grade to the highest point of a sign or any projection thereof.

(376) “Sign structure” means any structure that supports or is capable of supporting any sign as defined in this chapter. A sign structure may be a pole or poles, or may be an integral part of a building. Structures that perform a separate use, such as a telephone booth, bus shelter, recycling or used goods container, etc., shall not be considered a sign structure. Sign structures shall be the minimum necessary to support the sign and shall not depict any product being advertised.

(387) “Street” means a public or private way open to the general public for the purpose of vehicular traffic, including all classes of roadways and easements.

(398) “Temporary sign” means a nonpermanent sign intended for use for a short period of time.

(4039) “Under common ownership” describes a situation where one person, corporation, legal entity or related legal entities owns contiguous properties occupied by closely related businesses in which case these businesses will be considered to be one business, operating on one property for the purpose of applying this chapter (i.e., a car dealership may cover multiple contiguous parcels and have several related businesses on these parcels but shall be considered to be “under common ownership” for the purpose of interpreting the provisions of this chapter).

(410) “Vehicular signs” are signs affixed or painted on work vehicles, tractor-trailers, busses, vans or other vehicles.

(421) “Window sign” is any sign viewable through and/or affixed in any manner to a window or exterior glass that is intended to be viewable from the exterior.

33.57.030 Exempt signs.

The following types of signs shall be exempt from the standards established within this code and from the permitting requirements of this chapter; provided, that the standards in this section are met:

(1) Official notices authorized by a court, public body or public safety official, provided they are removed within seven (7) days after conclusion of the subject of notification;

(2) Directional, warning or information signs authorized by federal, State or municipal governments or signs required by law not exceeding 200 square feet of sign area and twenty (20) feet in height. Directional signs located within State or County right-of-way shall be administered by State standards for directional signs and, if within Clallam County right-of-way, shall be administered by the Motorist Informational Sign Ordinance, Chapter 9.21 CCC;

(3) Memorial plaques, building identification signs and building cornerstones which are cut or carved into a masonry surface or when made of noncombustible material and made an integral part of the building or structure. Plaques, tablets, or inscriptions indicating the name of a building, its date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, and which are not illuminated, except incidentally from light sources used for other purposes;

(4) Sculptures, murals, landscape features, fountains, mosaics, religious symbols, and design features which do not incorporate advertising or identification;

(5) The flag of a government or noncommercial institution such as a school;

(6) Traffic or pedestrian control signs or signals, or signs indicating scenic or historic points of interest which are erected by, or on the order of, a public officer in the performance of his/her public duty;

- (7) Exterior signs or displays not visible from streets or ways open to the public;
- (8) “No trespassing,” “no dumping,” “no parking,” “private,” and other informational warning signs which shall not exceed four (4) square feet in surface area and eight (8) feet maximum height above grade;
- (9) Commercial or residential address signs with lettering not exceeding twelve (12) inches in height and newspaper boxes located within ten (10) feet of an existing commercial/industrial building; and
- (10) Signs erected in anticipation of an election (for the purpose of advertising a candidate or proposal) shall be no greater than thirty-two (32) square feet in area and five (5) feet in height above grade and shall be compliant with WAC 468-66-050 regarding removal.
- (11) Replacement of permitted or legal non-conforming signs if not changed in height, shape, size, lighting/illumination and does not affect the structure of the sign
- (12) Signs at a construction site, no more than three and no greater than 32 square feet each, that may identify the architect, engineers, contractors, suppliers or grant agencies involved in the construction project or announces the character of the building. This type of sign shall be removed two weeks after completion of construction.
- (13) Signs advertising real estate for sale, rent or lease and removed after the real estate transaction is complete no greater than thirty-two (32) square feet in area.
- (14) Grand opening or closing displays, such as temporary banners, flags, or balloons, are permitted for a period of fourteen days to announce the opening of a completely new business or new management. All materials not been permitted shall be removed immediately after fourteen days.
- (15) Businesses located within commercial zones may use one banner sign as a temporary monument sign for no more than 3 months. After 3 months it is the expectation that a permanent sign be constructed and appropriate permits obtained. Banner signs affixed to a wall shall be required to be permitted as a façade sign.
- (16) Portable signs used to provide traffic and directional information during events that do not interfere with safety sight lines or block motorists pulling into or out from a business or within safety sight triangles on corner lots. These types of temporary signs shall be removed immediately after the conclusion of the event.
- (17) One feather/flutter/flag/blade sign placed per 200 feet of road frontage. If fronting two or more roads the total of the road frontages determines the number of signs allowed to be used. The sign(s) shall remain in good condition with no rips, tears, frayed edges or be sun-faded.

33.57.040 Prohibited signs.

The following signs or displays are prohibited and subject to enforcement action and/or removal by the County,

- (1) Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency or radio equipment vehicle; or which obstruct the visibility of any street sign or signal device;
- (2) Signs erected, constructed, altered or relocated without a permit issued by the County or any other governmental agency that requires a permit under law;
- (3) Signs identifying activities, products, businesses or services which have been discontinued for more than three (3) months on the premises upon which the signs are located;
- (4) Private signs on public utility poles;
- (5) Any sign that interferes with safe sight distances (determined by the County Road Department) at an intersection or causes an intersection to be illuminated.
- (6) Portable signs, except if placed as an exempt sign, due to the fact that they are often placed where they block safety sight lines of motorists pulling into or out from a business or within safety sight triangles on corner lots;
- (7) Signs that rotate or have a part or parts that move or revolve shall not be permitted in any zone except for the face of a clock less than six (6) square feet in size;
- (8) Signs or advertising displays consisting of clusters of posters, banners not affixed to a building wall, (is this suggesting banner signs are allowed, but do they count as façade sign and would need a permit?) should this portion just be reduced to
- (9) Banner signs that do not meet the exemption listed above;
- (10) Pennants, ribbons, streamers, strings of lights other than holiday lights used exclusively for decorative purposes, spinners, twirlers or propellers, human-held or twirled signs, flashing signs, rotating or blinking lights, chasing or oscillating lights, light projections on other natural or manmade surfaces, television type video, flares, balloons, inflatable signs, bubble machines and similar devices of carnival nature, or containing elements creating sound greater than 40 decibels as measured from the nearest adjacent property or business boundary shall not be permitted in any zone;
- (11) Parking of vehicles with the sole intent of using the signage in or on the vehicle as advertising. Parking of vehicles on property with a company logo is not considered intentionally advertising.
- (12) Signs within the public right-of-way unless erected by Clallam County or the State of Washington. These signs are subject to removal by the Clallam County Road Department.

33.57.050 Permitting

No sign may be erected, relocated, constructed, or altered within the areas of the County under Clallam County jurisdiction without a permit obtained from the Clallam County Department of

Community Development, unless specifically exempt under this code (CCC 33.57.080). Painting, cleaning, refacing, or replacement of defective parts may be completed without a permit, however, replacement of the sign structure will need to be reviewed by the building department to determine if a building permit is required in accordance with the International Building Code.

The application for permitting of a sign shall include drawings and details of the proposed sign, associated support structure and method of attachment, drawing of all exterior lighting (if any), a site plan with location of all proposed and existing signs, and dimensions of all existing signs. If the applicant is not the property owner the application must include a statement from the property owner verifying that permission is granted for the submission of the application.

33.57.060 Commercial and Industrial sign standards.

The following standards shall apply to signs placed on property zoned commercial or industrial:

(1) Façade sign(s) shall meet the following standards:

(a) The total area of signage attached to any face of the building(s) shall not exceed a total of one square foot of sign area for each linear foot of the building frontage facing a single public or private road. Banner signs affixed to a wall count toward the total square footage for façade signs. For multiple-business complexes each business within a plaza may have one facade sign attached to the commercial structure, ~~that is~~ limited to one square foot of sign area per linear foot of each businesses building frontage.

(b) No ~~façade~~façade sign may extend above the primary roofline or project more than eight (8) feet from the roofline edge of the building. A projecting sign shall not impede pedestrian or traffic corridors.

(2) Freestanding sign, including monument signs shall meet the following standards:

(a) Limited to one sign for each area of land under common ownership.

(b) Shall not exceed thirty-two (32) square feet of sign area, except for multiple-business complexes advertising multiple businesses. Multiple-business complex signs shall be limited to one freestanding sign not exceeding the signage area limit of 100 square feet and shall be used to advertise the complex name and the businesses(es) within the complex. The sign may not be used for only one tenant, unless it is limited to 32 square feet. Individual tenants in a multiple-business complex may not erect individual freestanding signs.

(c) Shall not exceed ten (10) feet in height above grade.

(d) Shall be designed so they appear to be firmly anchored to the ground and include a design that integrates a top, middle, and bottom element that effectively frames the sign on both sides.

(3) Illuminated signs shall have a steady, stationary, fully shielded light source with a brightness no greater than 0.3 foot candle above ambient light at the property line. Illumination of the business's fleet or outside inventory shall be considered advertising and shall also meet these standards of brightness.

(4) Electronic signs shall meet the following standards:

- (a) Only one sign on the property may contain digital messaging;
- (b) All digital/electronic signs shall be equipped with automatic dimming capabilities;
- (c) The brightness of the sign shall be no greater than 0.3 foot candles above ambient light (includes day and night) at the property line;
- (c) Messages shall remain static for a minimum 10 seconds and shall change instantaneously, avoiding startling flashing of lights and shall transition without animation.

33.57.070 Residential/Resource zoning district sign standards.

The following standards apply to signs placed on property zoned residential or resource:

- (1) Limited to one unlit freestanding or façade sign;
- (2) Sign shall not be electronic;
- (3) Sign shall be no more than six (6) square feet on residentially zoned property and no more than twenty (20) square feet on resource zoned property;
- (4) Freestanding sign shall not exceed five (5) feet in height above grade and no façade sign may extend above the primary roofline.

~~(3) Should we move this to the exempt section? Should it be removed? Vehicular signage visible from a County road or State scenic and recreational highway shall be limited to a total of thirty-two (32) square feet and vehicular signage shall be set back from the lot line or public right of use line that fronts on the State scenic and recreational highway a minimum of 100 feet. Firm identification signage and other signage at the minimum sizes required by State or federal law on commercial/industrial vehicles shall not be calculated as part of the thirty-two (32) square foot signage limitation. Work vehicles making a delivery or making a service call away from the home base of the business are not subject to this provision, as the purpose of this provision is to prevent vehicular signs from being used as a form of long-term freestanding signs. See section in prohibited signs.~~

33.57.080 Nonconforming signs.

It is the intent of this section to ensure that nonconforming signs are brought into compliance with the standards of this code. The following standards apply to nonconforming signs:

(1) No nonconforming sign maintenance shall be conducted that increases the nonconformity of the sign.

(2) A nonconforming sign shall not be altered in height, shape, size, lighting/illumination, or affect the base or support without conforming with the provisions of this chapter. No off-premise sign shall add electronic components that move, flash, or change copy.

(3) Properties with nonconforming signage shall only be allowed new or replacement signage requiring a permit after bringing an equivalent number of nonconforming signs on the property into conformance with the standards of this chapter.

33.57.090 Signage visible from a scenic highway.

A permit or other written approval is required from the Washington State Department of Transportation prior to review of certain types of sign permits by Clallam County for those areas within 600 feet of a designated scenic and recreational highway to show conformance with the Scenic Vistas Act and the Highway Advertising Control Act (Chapter [468-66](#) WAC).

33.57.110 Review of Administrator's action (appeals).

Any person aggrieved by the granting, denying or rescinding or enforcement of a decision of the Administrator made under this chapter may seek review from the Hearing Examiner in accordance with Chapters [33.33](#) and [26.10](#) CCC. The request must be in writing setting forth the basis of the appeal and must be accompanied by the appropriate fees outlined in Chapter [5.100](#) CCC.

33.57.115 Enforcement

The provisions of this title are subject to the enforcement and penalty provisions contained in CCC Title 20, Code Compliance, except to the extent preempted by State or federal law, and except to the extent preempted by any contrary enforcement and penalty provisions contained in this title.

Upon identification of a noncomplying or abandoned sign by the Department of Community Development, a notice of violation will be sent to the violator and landowner (if different) requiring corrective action within 930-days. Failure to correct the violation on or before a specified date, which shall be 30 days after mailing of the notice of violation, will result in the accrual of fines. If the violation identified in the notice of violation have not been corrected by the specified date, a certified letter will be sent informing them that fines shall accrue at a rate of \$100 per day on residential property and \$250 per day on commercial/industrial property until the violations are corrected and said fines shall begin to accrue 10 days after the letter is received.

33.57.120 Severability.

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application to other persons or circumstances shall not be affected.



Outdoor Advertising Association of America

Explanation of OAAA Recommended Brightness Guidelines

There are at least two ways to evaluate the brightness of a LED digital display. A preferred method uses a footcandle meter to determine the amount of light that reaches various points in front of the digital display. A second method uses a luminance meter (frequently called a nit gun) to determine the amount of light emitted by a light source.

Explanation of Footcandles vs. Nits

A brightness standard measured in nits (candelas/square meter) typically contains a maximum value for daytime and nighttime. The footcandle standard has only one value but is measured from different distances based on display size.

An LED sign generates luminance at the source (measured in nits), but this raw source is not what the human eye sees from a distance. The human eye sees illuminance (measured in foot candles) from a point at a certain distance from the LED sign. Illuminance is greatly affected by ambient light and surrounding conditions. As such, it is usually preferred by regulators.

Q: What is the definition of Luminance¹?

lu-mi-nance/'lumənəns/ [loo-muh-nuhns]—noun

1. The state or quality of being luminous.
2. Also called luminosity, the quality or condition of radiating or reflecting light: the blinding luminance of the sun.
3. Optics - The quantitative measure of brightness of a light source or an illuminated surface, equal to luminous flux per unit solid angle emitted per unit projected area of the source or surface.

Q: What is the definition of Illuminance?

/i'lumənəns/ Compare irradiance E v, Sometimes called: illumination the luminous flux incident on unit area of a surface. It is measured in lux²

Q: What is a foot candle?

n. (Abbr. fc or ft-c)

[foot-kan-dl]
noun Optics.

A unit of illuminance or illumination, equivalent to the illumination produced by a source of one candle at a distance of one foot and equal to one lumen incident per square foot. Abbreviation: FC³

Also:

A unit of illuminance on a surface that is everywhere one foot from a point source of one candle⁴

¹ Dictionary.com <http://dictionary.reference.com/browse/luminance?s=t>

² Dictionary.com <http://dictionary.reference.com/browse/illuminance?s=ts>

³ Dictionary.com <http://dictionary.reference.com/browse/foot+candle?s=t>

⁴ TheFreeDictionary.com <http://www.thefreedictionary.com/Footcandle>

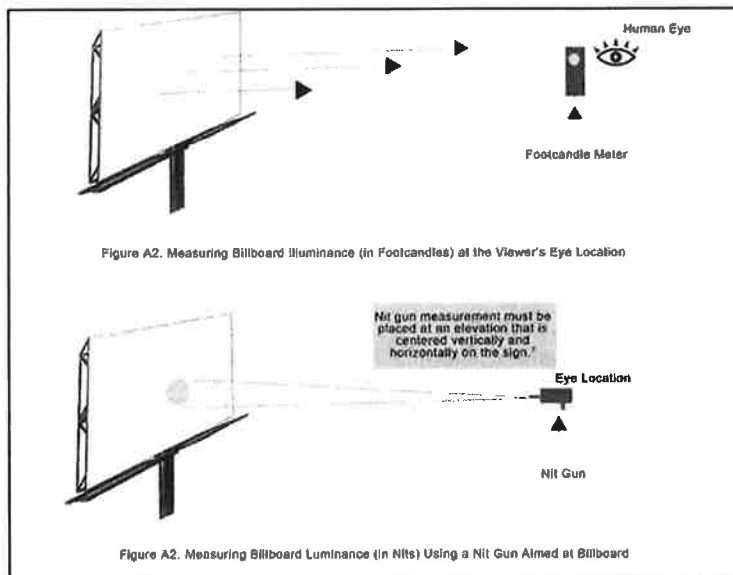
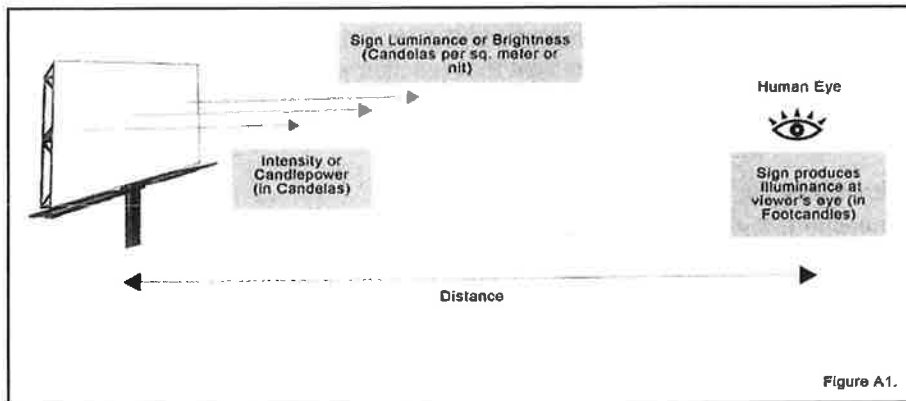
Q: What is a nit?

A:

noun Physics.

a unit of luminous intensity equal to one candela per square meter. Abbreviation: nt^5

-A unit of illuminative brightness equal to one candle per square meter, measured perpendicular to the rays of the source.⁶



⁵ Dictionary.com <http://dictionary.reference.com/browse/nits?s=t>

⁶ TheFreeDictionary.com <http://www.thefreedictionary.com/nit>

⁷ Nit gun readings are most accurate when the readings are taken directly perpendicular from the light source. As a result, the best place to take Nit gun readings is from an elevated height perpendicular to the digital display. If this is not possible, moving back from the digital display 350' to 500' on the center line will minimize the loss of accuracy. However, the distance away from the digital display cannot cause the nit gun measurement circle to fall outside the lighted digital billboard face.

-Source: Dr. Ian Lewin, Ph.D. Lighting Sciences, Inc. Digital Billboard Recommendations and Comparisons to Conventional Billboards.

Why use Foot candles over Nits as a unit of measurement?

- Foot candles measure the variance from ambient light. This assures a government that the sign will not be too bright for conditions. At different parts of a day the ambient lighting can be significantly different with clouds or fog. Conversely, the same can be true about nighttime conditions when an adjacent commercial lot turns on or off their parking lot lighting. Regulation using Nits merely sets a maximum and minimum level for day and night time conditions. Using the foot candle standard will not allow the sign to be too bright under a variety of conditions. (See Figure A2)
- Nits measure the brightness of the light at its source, without regard to ambient light. Establishing a lighting standard that ignores the brightness of the area (ambient light) allows the digital billboard to be too bright in dark environments and too dim in highly illuminated areas. In other words, fixed nit standards can allow the digital to operate at significantly higher luminance than is needed over the course of a 24 hour period.
- Nits: To measure nits you need to be directly perpendicular to the sign to measure, and get an accurate measurement. This is factored horizontally and vertically. There is a little bit of leeway on angle. Nits are directional in nature and billboard signs are usually aimed directly at the middle of the roadway. This in many cases puts the person performing the measurement in the travel lanes. In addition, due to the height of the average digital billboard a truck with a man-lift may be required. There is no specified distance you must be away from the sign to measure. (See Figure A2)
- Footcandles: With the footcandle standard you should be as perpendicular to the face as you can, but you do not have to be, to get a valid, accurate measurement. Footcandles can be measured multi directionally. You can take measurements at an angle to the sign face and receive valid measurements. The distance from which to measure is set at 250 ft away from the sign face for 14 x 48 size. This gives a regulator more options on places to stand.
- This makes the footcandle standard superior in ease of implementation. But even if we assumed they are both different, but similar in this regard, other more important factors tip the scales.
 - The footcandle standard is more restrictive in terms of lighting allowed, in a variety of conditions. As such, is usually preferred by regulators once they are educated on the differences.
 - The industry footcandle standard is tied to a required light sensor and dimming software.
 - Footcandles measure what the driver sees through their windshield in terms of light, where his car is.
 - Nits measure the light emanating from the sign face, typically a few hundred feet away. Not necessarily what the driver is seeing.
- It also can benefit a government to use foot-candles instead of Nits as Nit guns are very expensive (estimated cost \$3,000.00). Light meters can cost as little as \$250.00.

There are 3 necessary components to insure a digital billboard will never be too bright for conditions.

1. Maximum brightness limits incorporating a footcandle standard
2. An ambient light sensor installed on the sign structure
3. Dimming software

The ambient light level of a digital billboard will not vary significantly from that of a traditional billboard display and, in many cases it will be less. The light output levels will be set to be appropriate for the surroundings.

OAAA recognized/member companies utilize a photocell on digital billboards so that the display will easily be seen by motorists under changing light conditions. Sophisticated dimming software constantly changes the brightness of the display in response to changing ambient lighting conditions. This insures a digital billboard will never be too bright for conditions.

The range of brightness varies greatly between daytime and nighttime conditions. In bright daylight, the unit must have higher intensity in order to be seen. During darkness conditions, the brightness can be set low and still be easily seen by motorists.

Why was 0.3 Footcandles chosen as the limit?

The 0.3 footcandle maximum illuminance level was carefully derived from a report completed by a former president of the IESNA.⁸ The recommended technique is based on accepted IESNA practice for "light trespass."

The Outdoor Advertising Association of America (OAAA) commissioned Dr. Ian Lewin, in 2008 a principal at Lighting Sciences, Inc., Scottsdale, AZ, to recommend criteria for brightness levels on digital billboards⁹. The standards are designed to minimize the risk of glare or unreasonable driver distraction.

Footcandle measurements are commonly used throughout the United States. Footcandle measures are widely used in the lighting industry, photography, film, television, conservation lighting, and construction related engineering and building code regulations¹⁰. In addition, footcandles are frequently cited in OSHA regulations. The OAAA believes that these lighting standards reflect the best practices of the Out of Home Industry.

⁸ IESNA – Illuminating Engineering Society of North America

⁹ Digital Billboard Recommendations and Comparisons to Conventional Billboards, by Dr. Ian Lewin Ph.D., FIES, L.C. Lighting Sciences, Inc., 7826 East Evans Road, Scottsdale, Arizona 85260

¹⁰ wikipedia.org/wiki/Footcandles

Appendix

OAAA Recommended Brightness Guidelines

Criteria #1 - Lighting Standards – Measurements:

The industry recommended criteria follows the lighting standards established by the Illuminating Engineering Society of North America (IESNA). The OAAA and member companies voluntarily adhere to the following guidance.

Recommended regulatory criteria:

Lighting levels should not exceed 0.3 foot candles (over ambient levels) as measured using a foot candle meter at a pre-set distance.

Pre-set distances to measure the foot candles impact vary with the expected viewing distances of each size sign. Measurements should be taken as close to perpendicular to the face as practical.

Measurement distance criteria:

Nominal Face Size	Distance to Measure From
12' x 24'	150'
10'6 x 36'	200'
14' x 48'	250'
20' x 60'	350'

Each display must have a light sensing device that will adjust the brightness as ambient light conditions change.

Criteria #2 - Alternate Regulatory Criteria

The brightness of light emitted from a changeable message sign should not exceed 0.3 foot candles over ambient light levels measured at a distance of one hundred fifty feet (150') feet for those sign faces less than or equal to three hundred square feet (300 sq. ft.), measured at a distance of two hundred feet (200 ft.), for those sign faces greater than three hundred square feet (300 sq. ft.) but less than or equal to three hundred eighty-five square feet (385 sq. ft.), measured at a distance of two hundred fifty feet (250 ft.), for those sign faces greater than three hundred eighty-five square feet (385 sq. ft.) and less than or equal to six hundred eighty square feet (680 sq. ft.), measured at a distance of three hundred fifty feet (350 ft.) for those sign faces greater than six hundred eighty square feet (680 sq. ft.)

Or use Alternate Table:

Sign Face Size	Distance of Measurement
681-1200 square feet	350 feet
385-680 square feet	250 feet
300-385 square feet	200 feet
200-300 square feet	150 feet

Each display must have a light sensing device that will adjust the brightness as ambient light conditions change.

Criteria #3 - Optional Regulatory Addendum - (If standardized distances cannot be achieved in compliance with MUTCD roadside work, or if the site conditions will not allow measurements from the previous distances.)

In the event it is found not to be practical to measure a digital billboard at the set distances prescribed above, a measurer may opt to measure the sign at any of the alternative measuring distances described in the applicable table set forth below. In the event the sign measurer chooses to measure the sign using an alternative measuring distance, the prescribed footcandle level above ambient light shall not exceed the prescribed level, to be determined based on the alternative measuring distances set forth in the following tables (A), (B), (C), and (D), as applicable:

(A) For changeable message signs less than or equal to 300 square feet:

Alternative Measuring Distance	Prescribed Foot Candle Level
100	0.68
125	0.43
150	0.3
200	0.17
250	0.11
275	0.09
300	0.08
325	0.06
350	0.06
400	0.04

(B) For changeable message signs greater than 300 square feet but less than or equal to 385 square feet:

Alternative Measuring Distance	Prescribed Foot Candle Level
100	1.2
125	0.77
150	0.53
200	0.3
250	0.19
275	0.16
300	0.13
325	0.11
350	0.1
400	0.08

(C) For changeable message signs greater than 385 square feet but less than or equal to 680 square feet:

Alternative Measuring Distance	Prescribed Foot Candle Level
100	1.88
125	1.2
150	0.83
200	0.47
250	0.3
275	0.25
300	0.21
325	0.18
350	0.15
400	0.12

(D) For changeable Message Sign greater than 680 square feet: Alternative Measuring Distance:
Prescribed Foot Candle Level:

Alternative Measuring Distance	Prescribed Foot Candle Level
100	3.675
125	2.35
150	1.63
200	0.92
250	0.59
275	0.49
300	0.41
325	0.35
350	0.3
400	0.23
425	0.2
450	0.18
500	0.15